

ASPERGER ASSOCIATES LLC

ATTORNEYS AT LAW

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January 10, 2005

The Honorable Benson E. Legg
United States District Court
for the District of Maryland
Third Floor, Room 340
101 W. Lombard Street
Baltimore, MD 21201

Re: In the Matter of the Complaint of
Eternity Shipping, Ltd., et al,
For Exoneration from or Limitation of Liability
Civil Action No.: L-01-CV-0250

Dear Judge Legg:

On Friday, January 7, 2005, my office inadvertently electronically filed Motion of Claimant Tate & Lyle North American Sugars, Inc. for Sanctions for Spoliation of Evidence and for FRCP 37(c) Sanctions for Failure to Disclose (document number 109 on the court docket) instead of Third-Party Plaintiffs' Amended Response to American Bureau of Shipping's Motion for Summary Judgment which was due on that day. We have filed the Amended Response to ABS' Motion for Summary Judgment and ask that you simply substitute it and discard the Motion for Sanctions which was inadvertently filed. Thank you.

Respectfully,

/s/

Jeffrey J. Asperger

JJA:cc

cc: All Counsel of Record